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## **Agriculture News Release - 1988-09-28**

United States. Congress. House. Committee on Agriculture

E. De la Garza

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# news release

## COMMITTEE ON AGRICULTURE

U.S. HOUSE OF REPRESENTATIVES

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Washington, DC 20515

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### \*\*\* PESTICIDE REGULATORY BILL APPROVED BY CONGRESS \*\*\*

For immediate release, September 28, 1988

(PR88-084)

WASHINGTON -- Congress gave final approval and sent to the President on Wednesday the first major revision in the nation's pesticide regulatory program in a decade, announced House Agriculture Committee Chairman E (Kika) de la Garza (D-Tex.).

"This bill is a major first step in our long-time efforts to improve and strengthen FIFRA. It addresses the critical issues hampering the effective operation of the government's pesticide regulatory program. It's our most significant reform of FIFRA in 10 years, and as such it should be considered a victory for both the agricultural community and the general public," Rep. de la Garza said.

The legislation, which originated in the House Agriculture Committee, reauthorizes the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the federal law which regulates the manufacture and use of pesticides, through FY 1991. Its principal provisions will speed up the safety review of existing pesticides and shift some of the costs involved in the review, suspension and cancellation of pesticide chemicals from the federal government to chemical manufacturers.

Rep. de la Garza, the lead sponsor of the bipartisan bill in the House, had made passage of the legislation his top priority in the remaining days of the 100th Congress. The measure was attached as a substitute to an unrelated Senate bill during a House Agriculture Committee markup session Sept. 13 to expedite its consideration in the Senate.

Bipartisan support for the bill, S. 659, also came from the Committee's Ranking Minority Member Edward R. Madigan (R-Ill.), George E. Brown, Jr. (D-Calif.), Chairman of the Subcommittee on Department Operations, Research, and Foreign Agriculture, and Pat Roberts (R-Kans.), Ranking Minority Member of the Subcommittee.

#### Main provisions of the legislation are:

- o Reregistration -- accelerates the reregistration process (the review of previously-approved pesticides) with completion to occur within nine years. It also imposes fees on chemical manufacturers of up to \$150,000 per active ingredient to ensure that government costs are fully funded.

- o Indemnification -- essentially ends automatic indemnification for all but certain "end users" (including farmers) when a pesticide product is suspended and later cancelled by the Environmental Protection Agency (EPA).

- o Storage and disposal -- provides for chemical manufacturers and the EPA to share the cost of storing suspended and cancelled pesticides. The federal government's share depends on how quickly EPA approves a manufacturer's plans to safely dispose of the chemical. Chemical manufacturers would be responsible for all disposal costs.

- o Records and inspections -- gives EPA additional

authority to request records and inspect sites where pesticides are being held.

o Unlawful acts and penalties -- provides that certain acts, such as submitting false test data, violating suspension or cancellation orders, failure to submit required records or allow inspections, are unlawful. It also increases criminal penalties for registrants, applicants for registration, and other pesticide producers who knowingly violate FIFRA regulations.

o Congressional review -- requires EPA to submit any proposed rule or regulation to Congress at least 60 calendar days before they are proposed (current law requires 90 days of continuous legislative session in Congress).

c Scientific Advisory Panel (SAP) -- makes permanent the seven-member body that reviews EPA decisions to ensure they are consistent with sound scientific standards.

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